

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM GORDON MARTIN

Dear Sir

I write briefly as a Christian minister

My immediate reading of the bill raises the following concerns which I would like to see addressed.

Part 1

Who is able to define motive or ill will when it comes to speech about something you are radically opposed to? Must we always preempt statements with words like –“with respect” or “I speak this lovingly”.

If I say that I am utterly opposed to the Secular Society and bear that organisation ill will does that become an offence?

If a Muslim says that Christ is not God to my face, knowing that this will upset me, hurt me, offend me and if he goes on to say that Christianity is a false religion and down with Christians does that become an offence? Surely not, unless it incites to violence which is different from hatred. (forgive my ignorance but when did hatred which is an internal emotion become a crime?)

If I say similar but opposite things regarding Islam is that an offence?

If I quote words from the bible which says specifically the Lord hates you- is that a crime? Consider “The LORD examines the righteous, but the wicked and those who love violence his soul hates. (Psalm 11:5 NIV) “ -especially if I say all are by BIRTH wicked. From “As it is written: "There is no one righteous, not even one; 11 there is no one who understands, no one who seeks God. 12 All have turned away, they have together become worthless; there is no one who does good, not even one." (Rom 3:10-12 NIV)”

If these sentences are misunderstood they sound like hate speech do they not?

They certainly sound insulting and could be criminalized by the following words from Part 2

Offences of stirring up hatred (1) A person commits an offence if— (a) the person— (i) behaves in a threatening, abusive or insulting manner, or (ii) communicates threatening, abusive or insulting material to another person,

I am also troubled by the line 1 on page 2 “Evidence from a single source is sufficient to prove that an offence is aggravated by prejudice”. Why? Is it not better to go back to the old standard of corroborating witnesses. It is still a christianised country and our laws are based on Judaea Christian values so this verse is still pertinent.(Deuteronomy 19:15 One witness is not enough to convict a man accused of any crime or offense he may have committed. A matter must be established by the testimony of two or three witnesses.)

Conclusion

In reading the bill I have come to the conclusion that this bill aims at something it shouldn't aim at. Hatred is not a crime. Hatred can be a virtue. We should all hate that which is evil as defined by law and (for me) the bible. Are we allowed to hate criminals?

I don't think hateful speech is a crime either(though I don't endorse it!) provided it does not incite to physical violence and in some extreme cases emotional/psychiatric violence (sustained domestic mental abuse for instance). One off instances should not be criminalized.

Pressure groups should not be able to whip up sentiment amongst lawgivers which overthrow sound governance and ask the changing face of parliament to be those responsible for the emotional adjustment of our people. That should be left to parents and other groups in society. (like religious groups, philosophers, educators etc)

Let Parliament free itself and the police force and law courts from this bureaucratic nightmare and clarify what is more clearly defineable as a crime.

Gordon Martin

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